

ORDINANCE 1534

AN ORDINANCE OF THE CITY OF NORTH BEND, WASHINGTON, AMENDING INTERIM ZONING REGULATIONS AS ESTABLISHED BY ORDINANCE 1530 RELATING TO BULK AND DIMENSIONAL STANDARDS FOR LOW DENSITY RESIDENTIAL ZONES; DECLARING AN EMERGENCY; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, due to the potential adverse impacts to floodway areas, sensitive environmental and critical areas, city streets, public safety, economics, city infrastructure, city utilities, noise and air, the City of North Bend has determined modified residential development regulations including bulk and dimensional standards are necessary within all Low Density Residential zones and additional in-depth analysis is required regarding these adverse impacts; and

WHEREAS, City staff and the Planning Commission will require adequate time to evaluate and study the existing land uses; complete a comprehensive review and study of the zoning code and development regulations to ensure future development activities are consistent with the Comprehensive Plan Goals and Policies and determine the impact of the existing development, bulk and dimensional standards; and make a recommendation to the City Council before additional development activity occurs under the current regulations; and

WHEREAS, on July 1, 2014, the City Council adopted Ordinance No. 1530 adopting interim zoning regulations to address Council's concern regarding lot size, lot width, lot building coverage, setbacks and lot variations; and

WHEREAS, on July 1, 2014, Council also requested the City Attorney review the interim zoning regulations and the City Attorney has recommended a minor modification to Section 17.08.105(E)(2) in order to implement Council's intent that lot sizes be varied and this recommended language is set forth below;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF NORTH BEND,
WASHINGTON, DOES HEREBY ORDAIN AS FOLLOWS:**

Section 1. Amendment to Interim Zoning Regulations: The City Council hereby amends North Bend Municipal Code Section 17.08.105(E)(2) as follows:

2. Lot Size. SF lot sizes shall be at least the minimum prescribed for the LDR zoning district. Lot sizes shall be varied by increasing certain lot sizes beyond the minimum lot size so that no more than three adjacent lots shall be of the same size (“same size” is defined as within 500 square feet in area relative to each other).

Section 2. Severability: Should any section, paragraph, sentence, clause or phrase of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

Section 3. Effective Date: This Ordinance, as a public emergency ordinance necessary for the protection of the public health, public safety, public property, or public peace, shall take effect and be in full force immediately upon its adoption. Pursuant to *Matson v. Clark County Board of Commissioners*, 79 Wn. App. 641, 904 P.2d 317 (1995), underlying facts necessary to support this emergency declaration are included in the “WHEREAS” clauses, above and the WHEREAS clauses contained in Ordinance No. 1530, all of which are adopted by reference as findings of fact as if fully set forth herein.

ADOPTED BY THE CITY COUNCIL OF THE CITY OF NORTH BEND, WASHINGTON, AT A REGULAR MEETING THEREOF, THIS 19TH DAY OF AUGUST, 2014.

CITY OF NORTH BEND:

APPROVED AS TO FORM:

Kenneth G. Hearing, Mayor

Michael R. Kenyon, City Attorney

ATTEST/AUTHENTICATED:

Published: August 27, 2014
Effective: August 19, 2014

Susie Oppedal, City Clerk